

ICT User Policy - Terms of Use of Information and Communication Technology at the Max-Born-Institute

Preamble

The MBI supports and provides an extensive infrastructure of electronic information and communication technology (ICT) which is intended for work-related activities only. The ICT infrastructure consists of data processing equipment (desktop computers, notebooks, servers, mass storage devices, printers, and scanners), communication systems (phones, system for video conference) and other computer-based systems of data processing. The MBI supports the free exchange of information and scientific knowledge and provides a variety of scientific literature and further electronic resources.

The use of the ICT infrastructure of MBI is restricted to official matters of research, education, training and administration. All data that is generated within this framework is property of MBI.

§1 Rights and Duties of Users

The persons entitled to usage (users) have the right to use the ICT infrastructure pursuant to their admission and on basis of these terms of use. For external traffic to and from other operators, their terms of use and access rules apply in addition and insofar as they do not contradict these terms of use. Every user of MBI gets an official email address and an account to get access to the ICT resources.

The users are obliged:

1. to comply with these terms of use, to respect the limitations of the usage rights and, in particular, to adhere to the purpose of use;
2. not to change the ICT infrastructure without the explicit approval of the operator, and in particular, to desist from any action that might interrupt the correct operation of the ICT infrastructure of MBI or third parties;
3. to treat the ICT infrastructure with special care;
4. to use solely the access rights they are entitled to;
5. not to identify and/or disclose authentication keys of others;
6. to ensure that no other persons gain knowledge of passwords and to take measures to prevent others from accessing the MBI infrastructure;
7. not to access information of others users without authorization and not to disclose, use or change information obtained from other users without their approval;
8. to comply with all legal provisions, in particular with all intellectual property rights and copyrights when using the software, information, documentation and other data, as well as to comply with the licensing terms under which the software and the documentation is provided;
9. not to copy software, documentation and data, not to forward these to third parties, unless explicitly permitted, and not to use these for illegitimate purposes;
10. to secure their data and programs in a way that no damage is caused when they are lost. MBI is offering appropriate technical infrastructure (central storage and backup);

11. to secure and save their data generated at MBI solely to MBI hardware. Backup copies and the handling of data beyond the MBI ICT infrastructure in context of writing a thesis or a scientific publication are allowed; however, this data has to be transferred to the MBI infrastructure.

The users are obliged to use the ICT infrastructure in a way that is not in breach of applicable laws. This applies in particular to the following criminal offences:

1. Data espionage (sec. 202a German Criminal Code), interception of data (sec. 202b German Criminal Code) and the preparation of data espionage (sec. 202c German Criminal Code);
2. Alteration of data (sec. 303a German Criminal Code) and computer sabotage (sec. 303b German Criminal Code);
3. Computer fraud (sec. 263 German Criminal Code);
4. Dissemination of pornographic writings (sec. 184 German Criminal Code), in particular the dissemination, acquisition, and possession of pornographic writings reproducing the sexual abuse of children (sec. 184 paragraph 5 German Criminal Code);
5. Dissemination of means of propaganda of unconstitutional organisations (sec. 86 German Criminal Code) and agitation of the people (sec. 130 German Criminal Code);
6. Libel and slander such as insults or defamations (sections 185 et seq. German Criminal Code);
7. Punishable breaches of intellectual property rights, e.g. by unauthorised copying of software (section 106 et seq. German Copyright Law);
8. Violation of the postal or telecommunications confidentiality (sec. 206 German Criminal Code).

§2 Rules for the Use of Mobile Devices and External Services

1. If third party networks are used, the users have to bear in mind the rules of such networks and comply with them. Misconduct can result in the account being blocked.
2. The use of private mobile devices within the ICT infrastructure is solely permitted for the legitimate purposes listed in the preamble. Further support (e.g. help desk, user support) will not be provided. The users shall be liable to MBI for any misconduct.
3. MBI is not responsible for the use of private and/or any devices and services beyond the MBI infrastructure (i.e. beyond the firewall). MBI shall not be liable for the operation of the systems.
4. It is not allowed to store or transfer data generated at MBI through external cloud services.

§3 Deletion or Blocking of Accounts

The MBI reserves the right to delete or block an account if these terms of use are breached.

§4 Liability

The MBI shall not be liable for damages of the users caused by the usage of the system described herein. The MBI will claim compensation from any user who infringes these terms of use.